

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

vs.

2000 FORD EXCURSION,
WASHINGTON LICENSE PLATE
569 WUQ, VIN:
1FMNU43S2YED72948, and,

2006 DODGE CHARGER,
WASHINGTON LICENSE PLATE
AFR8949, VIN:
2B3KA53H16H104149,

Defendants.

NO. CV-12-470-JLQ

FINAL ORDER OF FORFEITURE

Plaintiff, United States of America, alleged in a Verified Complaint for Forfeiture In Rem that the Defendant vehicles are subject to forfeiture to the United States pursuant to 21 U.S.C. § 881. (ECF No. 1).

The Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395. The Defendant property being forfeited is described as follows:

1) 2000 Ford Excursion, Washington License Plate 569 WUQ, VIN: 1FMNU43S2YED72948, seized on or about January 19, 2012, in Spokane, Washington, by the Federal Bureau of Investigation, pursuant to a federal search warrant.

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2 2) 2006 Dodge Charger, Washington License Plate AFR8949, VIN:
3 2B3KA53H16H104149, seized on or about January 19, 2012, in Spokane, Washington, by
4 the Federal Bureau of Investigation, pursuant to a federal search warrant.

5 On August 28, 2012, the Clerk's office issued the Warrant of Arrest In Rem, pursuant
6 to the Court's order of the same date. (ECF No. 6).

7 On September 19, 2012, the Warrant of Arrest In Rem was returned executed. (ECF
8 No. 8).

9 Notice of Civil Forfeiture Action was posted on the official government website
10 beginning August 25, through September 23, 2012, as required by Rule G(4)(a)(iv)(C) of the
11 Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, as
12 evidenced by the Notice of Publication filed herein on August 23, 2012. (ECF No. 18). At
13 the latest, the claim period expired on October 24, 2012.

14 On or about September 19, 2012, Eduardo Padilla, was served, via certified mail,
15 return receipt requested, with a copy of the Verified Complaint for Forfeiture In Rem, Order
16 Reassigning Case, Warrant of Arrest In Rem, and Notice of Complaint for Forfeiture. (ECF
17 No. 9). Based upon the direct notice's service date the last date to file a timely claim was
18 October 24, 2012. To date, no claim of interest from Eduardo Padilla has been received or
19 filed with the Court. On January 9, 2013, the United States filed a Motion for Default as to
20 Eduardo Padilla. (ECF No. 19). On January 10, 2013, the Clerk entered a default order as
21 to Eduardo Padilla. (ECF No. 22).

22 On or about September 19, 2012, Ryan Doherty, was served, via certified mail, return
23 receipt requested, Verified Complaint for Forfeiture In Rem, Order Reassigning Case,
24 Warrant of Arrest In Rem, and Notice of Complaint for Forfeiture. (ECF No. 10). On or
25 about September 21, 2012, Ryan Doherty, was served, via certified mail, return receipt
26 requested, Verified Complaint for Forfeiture In Rem, Order Reassigning Case, Warrant of

1 Arrest In Rem, and Notice of Complaint for Forfeiture in care of his attorney, Julian Trejo.
2 (ECF No. 13). Based upon the direct notice's service date the last date to file a timely claim
3 was October 26, 2012. To date, no claim of interest from Ryan Doherty has been received
4 or filed with the Court. On October 3, 2012, the United States filed a Stipulation for Order
5 of Forfeiture signed by Ryan Doherty, in which he agreed to forfeit the Defendant vehicles
6 to the United States. (ECF No. 14).

7 On or about September 19, 2012, Yuritzi Padilla, was served, via certified mail, return
8 receipt requested, with a copy of the Verified Complaint for Forfeiture In Rem, Order
9 Reassigning Case, Warrant of Arrest In Rem, and Notice of Complaint for Forfeiture. (ECF
10 No. 11). Based upon the direct notice's service date the last date to file a timely claim was
11 October 24, 2012. To date, no claim of interest from Yuritzi Padilla has been received or
12 filed with the Court. On January 9, 2013, the United States filed a Motion for Default as to
13 Yuritzi Padilla. (ECF No. 21). On January 10, 2013, the Clerk entered a default order as to
14 Yuritzi Padilla. (ECF No. 24).

15 On or about September 20, 2012, Gricelda Padilla, was served, via certified mail,
16 return receipt requested, with a copy of the Verified Complaint for Forfeiture In Rem, Order
17 Reassigning Case, Warrant of Arrest In Rem, and Notice of Complaint for Forfeiture. (ECF
18 No. 12). Based upon the direct notice's service date the last date to file a timely claim was
19 October 25, 2012. To date, no claim of interest from Gricelda Padilla has been received or
20 filed with the Court. On January 9, 2013, the United States filed a Motion for Default as to
21 Gricelda Padilla. (ECF No. 20). On January 10, 2013, the Clerk entered a default order as
22 to Gricelda Padilla. (ECF No. 23).

23 Notice of Civil Forfeiture Action was posted on the official government website
24 beginning August 25, through September 23, 2012, as required by Rule G(4)(a)(iv)(C) of the
25 Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, as
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1 evidenced by the Notice of Publication filed herein on August 23, 2012. (ECF No. 18). At
2 the latest, the claim period expired on October 24, 2012.

3 It appearing to the Court that any and all potential claimant's interest in the defendant
4 property has been resolved through the entry of the Clerk's Order of Default as to Eduardo
5 Padilla, Yuritzi Padilla and Gricelda Padilla; and, by the Stipulation for Order of Forfeiture
6 filed herein, forfeiting Ryan Doherty's interest in the Defendant vehicles to the United States.

7 It also appearing to the Court that no other timely claims have been made to the
8 defendant property;

9 **IT IS THEREFORE ORDERED:**

10 1. The United States' Motion for Forfeiture of Property (**ECF No. 25**) is **GRANTED**;
11 and

12 2. The Defendant property is hereby forfeited to the United States of America, and no
13 right, title, or interest shall exist in any other person; and

14 3. The United States shall dispose of the forfeited Defendant property in accordance
15 with law.

16 The Clerk of the Court shall enter this Order, provide copies to counsel, and **CLOSE**
17 **THE FILE.**

18 DATED this 7th day of February, 2013.

19 **s/ Justin L. Quackenbush**
20 **JUSTIN L. QUACKENBUSH**
21 **SENIOR UNITED STATES DISTRICT JUDGE**
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